UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,959	08/22/2003	Michael Wayne Brown	AUS920010819US2	8404

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EXAMINER
PATEL, HEMANT SHANTILAL

ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/645,959	BROWN ET AL.
	Examiner	**Art Unit**	
	HEMANT PATEL	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _7/1/2008_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,6 and 13-17_ is/are pending in the application.
      4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-4,6 and 13-17_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
      Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
      Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
      a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
      * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
      Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
      Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 1,

2008 has been entered. Claims 1-4, 6, 13-17 are pending in this application.

Response to Amendment

2.   Applicant's arguments with respect to claims 1-4, 6, 13-17 have been considered

but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-4, 6, 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Farris (US Patent No. 6,122,357), and further in view of Bajwa (US Patent

Application Publication No. 2007/0058787 A1), and further in view of Bassenyemukasa

(US Patent No. 5,623,539).

Regarding claim 1, Farris teaches of a method for specifying telephone services for a particular caller, comprising:

detecting a call initiation condition from an origin device at a trusted telephone network (col. 18, ll. 8-14);

brokering a connection between said origin device and an external server enabled to perform a caller identity authentication service (col. 18, ll. 22-col. 19, ll. 5, switch brokering connection between off hook line and IP), wherein brokering a connection further comprises:

transmitting a request for said caller identity authentication service via a signal gateway to a network for accessing said external server (col. 19, ll. 16-40, SCP instructing IP);

transferring a prompt for a voice utterance, received from said external server via a media gateway, to said origin device (col. 19, ll. 41-43);

transferring a voice utterance by said caller through said media gateway to said network for accessing said external server (col. 19, ll. 43-46); and

receiving said authenticated caller identity via said signal gateway at said trusted telephone network (col. 20, ll. 14-22);

responsive to receiving, from said external server, an authenticated caller identity of a caller utilizing said origin device, specifying services available to said caller according to said authenticated caller identity (col. 20, ll. 6-49, IP authenticating caller and providing virtual ID of authenticated caller which is used to load specific subscriber service profile).

Farris is silent on terming the IP providing authentication service as being

external server, and the Applicant had relied on Farris col. 11, ll. 1-4 where Farris notes

that "The preferred telephone network also includes one or more intelligent peripherals

(IPs) 23 to provide enhanced announcement and digits collection capabilities and

speech recognition" to argue that the IP providing authentication service in Farris is not

an external server. The functionalities of announcements and digit collection for

automatic call completion to a retrieved telephone number by a directory assistance

center are common in the third party provided service like directory assistance. The

third party server providing directory assistance is *included in the telephone network* for

providing service to its customers *but still is external server* not owned and operated by

the telephone service provider operating the trusted telephone network. Thus, providing

a particular service by an intelligent peripheral is not an indicator to show the inclusion

or exclusion of the peripheral in a network. The externality of IP as external server is

further evident from the Farris' disclosure that SCP specifically communicates with IP

over separate signaling network 27 (TCP/IP network) (Farris, col. 11, ll. 21-30; col. 19,

ll. 16-24) in contrast to SCP communicating with other trusted telephone network

components like SSP, STP over trusted network of CCIS using SS7 protocols (Farris,

col. 9, ll. 20-55), and Farris does not teach of a media gateway supporting Session

Initiation Protocol (SIP), and also does not teach of automatically initiating recording of

said call in response to lack of identity as indicated by authenticated caller identity.

However, in the same field of endeavor, Bajwa teaches of a method of detecting

a call initiation condition from an origin device at a trusted telephone network

(Paragraph 0018 call received through central office); brokering connection between origin device and an external server to perform caller identity authentication service (Paragraphs 0018-0019 call is connected to feature platform); transmitting a request for said caller identity authentication service via a signal gateway to a network for accessing said external server (Paragraph 0018 gatekeeper signaling gateway to connect to external feature server for authentication); transferring a prompt for a voice utterance, received from said external server via a media gateway that supports Session Initiation Protocol (SIP), to said origin device (Paragraph 0019 gateway transferring prompt from feature server to caller, Paragrpah 0021 gateway supporting SIP); receiving said authenticated caller identity via said signal gateway at said trusted telephone network (Paragraph 0023 validating caller); responsive to receiving, from said external server, an authenticated caller identity of caller utilizing said origin device, specifying services available to said caller according to said authenticated caller identity (Paragraphs 0019-0020, 0022, 0024-0030, provide authentication service from a feature server (an external server) to provide various services based on user or user device authentication).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Farris to provide user authentication and other services based on this user authentication from a central feature server as taught by Bajwa in order to "provide the functionality of feature services such as authentication without the cost and complexity of duplicating resources in multiple places" (Bajwa, Paragraph 0007) so that it "allows each of the gateways to be less complex and easier to maintain"

and "It is easier to change one or more centralized locations rather than each of the

gateways in the system for modifications, upgrade, maintenance and expansion"

(Bajwa, Paragraph 0017).

Farris and Bajwa do not teach of automatically initiating recording of call in

response to lack of identity as indicated by authenticated caller identity.

However, in the same field of endeavor, Bassenyemukasa teaches of a method

of detecting a call initiation condition from an origin device at a trusted telephone

network (col. 5 ll. 61-66); brokering connection between origin device and an external

server to perform caller identity authentication service (col. 5 ll. 38-42 connection from

originating line to stand-alone external adjunct); responsive to receiving, from said

external server, an authenticated caller identity of caller utilizing said origin device,

specifying services available to said caller according to said authenticated caller identity

(col. 5 ll. 64-col. 6 ll. 3 monitoring caller voice to indicate "valid" or "not valid"; col. 7 ll.

10-62 different call services); and responsive to said caller identity indicating a lack of

identity (authenticated as lacking a valid identity), automatically initiating recording of

said call (col. 7 ll. 21-36).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Farris and Bajwa to initiate recording of a call when the

user is identified as lacking valid identity as taught by Bassenyemukasa in order to

"monitor a conversation in a delayed mode where the conversation is stored and subject

to later analysis for fraudulent use of the phone line" (Bassenyemukasa, col. 7 ll. 60-62).

Regarding claim 2, Farris teaches of the method wherein said server is accessible via a network outside said trusted telephone network (Fig. 1, item 23, IP is outside of network and is accessed via T1, SMDI or PRI; col. 11, ll. 10-20, ll. 42-54). Bajwa teaches of feature server accessible via network outside trusted telephone network (Paragraph 0018-0020).

Regarding claim 3, Farris teaches of the method further comprising:

retrieving a caller profile for said authenticated caller identity (col. 20, ll. 6-49, IP authenticating caller and providing virtual ID which is used to load specific subscriber service profile); and

specifying a selection of services from among a plurality of services that are offered for said call according to said caller profile (col. 20, ll. 33-49, variety of services selection based on profile).

Regarding claim 4, Farris teaches of the method wherein said authenticated caller identity is authenticated by a voice utterance of said caller (col. 19, ll. 26-40; col. 19, ll. 65-col. 20, ll. 5).

Regarding claim 6, Farris teaches of the method wherein brokering a connection further comprises:

brokering a secure connection between said trusted telephone network and said external server (Fig. 1, SCP, STP, SSP and IP are connected by SS7, T1, PRI, SMDI etc. which are secure telephony networks as was known in the art).

Regarding claim 13, Farris teaches of a method for informing a callee of a caller identity, comprising:

detecting a call initiation condition from an origin device at a trusted telephone network (col. 18, ll. 8-14);

brokering a connection between said origin device and an external server enabled to perform a caller identity authentication service (col. 18, ll. 22-col. 19, ll. 5, switch brokering connection between off hook line and IP), wherein brokering a connection further comprises:

transmitting a request for said caller identity authentication service via a signal gateway to a network for accessing said external server (col. 19, ll. 16-40, SCP instructing IP);

transferring a prompt for a voice utterance, received from said external server via a media gateway, to said origin device (col. 19, ll. 41-43);

transferring a voice utterance by said caller through said media gateway to said network for accessing said external server (col. 19, ll. 43-46); and

receiving said authenticated caller identity via said signal gateway at said trusted telephone network (col. 20, ll. 14-22);

responsive to receiving, from said external server, an authenticated caller identity of a caller utilizing said origin device, transferring said authenticated caller identity to a destination device, such that a callee receiving said call at said destination device is provided with an identity of a party originating said call (col. 20, ll. 6-32, IP authenticating caller and providing virtual ID; col. 21, ll. 36-col. 22, ll. 28, terminating office receives and delivers caller ID to called party line).

Farris is silent on terming the IP providing authentication service as being
external server, and the Applicant had relied on Farris col. 11, ll. 1-4 where Farris notes
that "The preferred telephone network also includes one or more intelligent peripherals
(IPs) 23 to provide enhanced announcement and digits collection capabilities and
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an external server. The functionalities of announcements and digit collection for
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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Farris to provide user authentication and other services based on this user authentication from a central feature server as taught by Bajwa in order to "provide the functionality of feature services such as authentication without the cost and complexity of duplicating resources in multiple places" (Bajwa, Paragraph 0007) so that it "allows each of the gateways to be less complex and easier to maintain"

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server to perform caller identity authentication service (col. 5 ll. 38-42 connection from

originating line to stand-alone external adjunct); receiving, from said external server, an

authenticated caller identity of a caller utilizing said origin device (col. 5 ll. 64-col. 6 ll. 3

monitoring caller voice to indicate "valid" or "not valid"); and responsive to said caller

identity indicating a lack of identity (authenticated as lacking a valid identity),

automatically initiating recording of said call (col. 7 ll. 21-36).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Farris and Bajwa to initiate recording of a call when the

user is identified as lacking valid identity as taught by Bassenyemukasa in order to

"monitor a conversation in a delayed mode where the conversation is stored and subject

to later analysis for fraudulent use of the phone line" (Bassenyemukasa, col. 7 ll. 60-62).

Regarding claim 14, Farris teaches of the method further comprising:

filtering content of said authenticated caller identity before transfer to said

destination device (col. 22, ll. 41-51, terminating office receives name and number of

caller but delivers only partial data of name).

Regarding claim 15, Farris teaches of the method further comprising:

filtering content of said authenticated caller identity according to filtering

preferences associated with said authenticated caller identity (col. 21, ll. 3-52, using

calling subscriber profile to provide name for caller identity instead of using it from

LIDB).

Regarding claim 16, Farris teaches of the system further comprising:

filtering content of said authenticated caller identity according to an identity of

said callee (col. 22, ll. 28-51, filtering authenticated caller ID based on called party).

Regarding claim 17, Farris teaches of the method further comprising:

filtering said authenticated caller identity to block at least a portion of the content

of said authenticated caller identity (col. 22, ll. 41-51, terminating office receives name

and number of caller but delivers only partial data of name).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HEMANT PATEL whose telephone number is (571)272-

8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

                                                Hemant Patel
                                                Examiner
                                                Art Unit 2614

/Hemant Patel/
Examiner, Art Unit 2614